Section A1 – Residential and Tourist Accommodation Code - CONCEPT	
Control	**Compliance**
Part A Planning and Design Principles	
C1. Dwellings and development must be consistent with the scale and character of surrounding dwellings or as envisaged through an adopted concept plan, locality plan, design statement / covenant or the like.	To comply as required, the proposal represents the concept direction for the future development of the site for multiple rural land sharing communities. A Visual Impact Assessment with design and dwelling parameters and recommendations is provided, with complete design detail remaining undetermined at this concept stage. Relevant analysis of the site is provided throughout the supporting documentation and reports.
C2. – C8. Dual Occupancies	Not applicable, no Dual Occupancies proposed
C9. – C11. Secondary Dwellings	Not Applicable, no Secondary Dwellings proposed
C12. – C16. Small Lot Housing	Not Applicable, no Small Lot Housing proposed
2.1 Topography, Cut and Fill	
C1. Where earthworks are proposed within the building footprint, construction shall be generally consistent with the following requirements: **Table 1 Cut and Fill Requirements**	To comply as required, the proposal does not identify specific cut/fill proposed. The concept identifies suitable developable areas being areas generally 18^0 or less. As such, future development and design will incorporate a range of suitable earthworks and slope sensitive design elements to ensure consistency with industry best practice.
C2. Outside of the building footprint cut and fill to 1.0m for up to 10% of the site or a maximum of 100sqm is permissible to achieve flatter backyards, outdoor living areas, bbq areas, clothes drying areas and the like. On steeply sloping sites (12 degrees and over) consideration may be given to greater cut and fill thresholds subject to: i. Justification and satisfaction of the proposal against planning and design principles and objectives of this section; ii. Justification of the proposal and design intent through a site analysis including consideration of the likely streetscape impacts and compatibility with existing streetscape character; iii. Demonstration of a structural system of the house appropriate to the site and slope;	To comply as required, the proposal does not identify specific cut/fill proposed. The concept identifies suitable developable areas being areas generally 18^0 or less. As such, future development and design will address specific cut/fill requirements and provide for suitable development outcomes.

Section A1 – Residential and Tourist Accommodation Code - CONCEPT	
Control	**Compliance**
iv. Justification and documentation of full site sections showing all existing and proposed levels and proposed retaining walls and batters; v. Consideration of the likely amenity impacts including overlooking, overshadowing, drainage and structural issues; vi. Limiting multiple retaining walls to 1.0m encouraging terracing rather than one large wall; vii. Landscaping to mitigate visual impacts of retaining walls and batters; viii. Suitable stormwater and drainage management.	
C3. Excavations and fill in excess of 1 metre may be permitted to allow for compliant driveways and basement garages providing the excavations are adequately retained and drained in accordance with engineering requirements.	To comply as required, the proposal does anticipate and cut/fill in excess of 1m other than to ensure internal connection roads remain compliant. Indicative detail, cross and long sections are provided and will be further detailed at subsequent stages of development.
C4. The interface of the proposed building cut and fill and the natural slope is to be documented on all development plans and sections including the existing and proposed slope of the site levels, all proposed batter and retaining works and where appropriate the interface with adjoining properties. All levels are to be depicted in Australian Height Datum (AHD).	To comply as required, the proposal does not identify specific cut/fill or dwelling design. We make note of this requirement to be appropriately addressed at subsequent DA stages.
C5. Cut and fill batters and retaining walls outside of the building footprint are to be landscaped to mitigate visual impacts.	To comply as required, the proposal will likely result in batters and retaining walls primarily around the internal road network. This area will fall under a vegetation management plan to be landscaped appropriately and mitigate any potential visual impact.
C6. Cut and fill batters shall not: i. exceed a slope of 1:2 (v:h) unless geotechnical reports result in Council being satisfied with the site stability. All batters are to be provided with both short term and long term stabilization to prevent soil erosion. ii. be located where the toe of any battered fill (or retaining wall) is closer than 900mm for cut and 1.5m for fill to any property boundary, where the overall height at any point exceeds 500mm.	To comply as required, cut and fill batters will achieve requirements with the preliminary design detail indicating suitable design can be achieved. Detailed design will form subsequent stages of development and will address relevant requirements.

Section A1 – Residential and Tourist Accommodation Code - CONCEPT	
Control	**Compliance**
iii. be located where they will impact on the privacy of neighbours. iv. shall not extend onto Council's road reserve	
C7. Retaining walls, unless constructed for the sole purpose of landscaping, should be constructed of a material such as concrete, masonry, rock or other permanent type material. Timber retaining walls are not acceptable for walls that support side boundaries or structures. C10.	To comply as required, retaining walls will be constructed from suitable materials.
C8. Where more than one retaining wall is required, this should be in the form of terracing with landscaped areas between level changes to soften the visual impact of the retaining wall	To comply as required, terracing of retaining walls will be employed as required at subsequent detailed design stages.
C9. On side sloping allotments where there are existing inter allotment retaining walls, further retaining walls within the side setback will be limited to 600mm.	Not Applicable, no inter allotment retaining walls exist or are envisioned by the development.
C10. Where a property is burdened by stormwater or water and sewerage mains then Council will generally preclude any excavation or filling within that easement	Not Applicable, no stormwater, water or sewer easements exist or are envisioned by the development.
2.2 Landscaping, deep soil zones and external living areas	
C1. A lot must include a total landscaped area comprising of the following: **Table 2 Landscaping Requirements.**	Compliant, the subject sites are rural lots which afford ample opportunity for landscaping and deep soil zones. It is noted within **Table 2 Landscaping Requirements** referenced that lots greater than 1500m^2 have no specific requirement and under Section 1.8 of A1 Preliminaries, rural land is generally exempt from many of the specific A1 controls (i.e. setbacks, deep soil zones, etc).
C2. All new dwelling applications must provide a plan, which may be part of site analysis or on a site plan, identifying landscape area and deep soil locations and a schedule of the landscape area and site coverage calculations.	To comply as required. While under Section 1.8 of A1 Preliminaries, rural land is generally exempt from many of the specific A1 controls (i.e. setbacks, deep soil zones, etc), the proposal will incorporate an overarching vegetation management strategy and plan detailing landscape considerations and rehabilitation management. Additional locational specific

Section A1 – Residential and Tourist Accommodation Code - CONCEPT	
Control	**Compliance**
	landscaping detail may also be provided as required.
C3. A landscape Plan is required for dual occupancy development. A landscape plan may also be requested for dwelling houses where significant earthworks are proposed within the front yard or where a potential streetscape impact has been identified by the assessing officer. The landscaping plan is to include: i. Calculations of the landscaped area, deep soil zones and site coverage; ii. Demonstrate how the landscaping complements and integrates with the amenity of the dwelling, the streetscape and any topographical features; iii. Demonstrate how each dwelling achieves integration of the dwelling, landscaped areas, private open space and external living areas; iv. Demonstrate suitable privacy and solar access for each dwelling and its outdoor and landscaped spaces; and v. Detail of plant species to be used and their locations. Species are to comprise no less than 80% native species	To comply as required. Under Section 1.8 of A1 Preliminaries, rural land is generally exempt from many of the specific A1 controls (i.e. setbacks, deep soil zones, etc). Further the proposal seeks to establish rural land sharing dwellings within a dense rural bushland area. The proposal will incorporate a vegetation management strategy determining rehabilitation and retained vegetation areas. It would be unlikely that landscape intent plans would be required in addition, however the requirement for this will be considered at more detailed design stages of development.
C4. Existing landscape elements on sites such as natural rock outcrops, watercourses, dune vegetation, indigenous vegetation and mature trees should be retained and integrated with the design of the buildings.	Complies, the proposal considers the natural landscape of the site and provides developable areas in generally clearable and level areas to minimize the impact of the development on the landscape. Dwelling design will employ a range of slope sensitive design and retain vegetation as far as practical, while considering rehabilitation and vegetation management strategies through the process.
C5. On lots adjoining indigenous/native vegetation, protect and retain indigenous native vegetation and use native indigenous plant species for a distance of 10m from any lot boundaries adjoining bushland	Complies, the proposal incorporates a detailed ecological investigation and vegetation management strategy which includes maintaining, replanting, protecting and enhancing the native vegetation characteristics of the site and connection with surrounding vegetation communities.
C6. Locate and design landscaping to increase privacy between neighbouring dwellings without excessive shadowing or blocking primary views or existing solar panel	To comply as required, the proposal will retain existing vegetation and include native replanting to achieve an acceptable level of privacy between dwellings.

Section A1 – Residential and Tourist Accommodation Code - CONCEPT	
Control	**Compliance**
C7. Deep soil zones are to have soft landscaping and cannot be covered by impervious surfaces such as concrete, terraces, outbuildings, swimming pools, tennis courts or other structures or located on structures such as basement car parks or in planter boxes.	Not applicable, the sites are located in a rural area with ample deep planting opportunity which will remain unaffected.
C8. Runoff is to be minimised, delayed in its passage and where possible accommodated within the landscape or site surface depressions of the development site unless this is inconsistent with the geotechnical stability of the site or adjacent/downstream land	To comply, the proposal incorporates a concept stormwater management master plan which considers runoff. In summary the expansive 1500ha area of the site will easily assimilate any road and dwelling runoff through overland flow.
C9. The concentration, collection and piping of runoff to the street gutter or underground stormwater system shall be minimised unless this is inconsistent with the geotechnical stability of the site or adjacent/downstream land.	Not applicable, the proposal incorporates a concept stormwater management master plan which considers runoff. In summary, the expansive 1500ha area of the site will easily assimilate any road and dwelling runoff through overland flow and does not require collection or direction to underground services.
3 Building Envelope controls	
C1-C23 Setbacks C1-C2 Height C1 Site Coverage	Not applicable, the proposal constitutes a concept DA for rural land sharing communities. No detailed design specifics are proposed with consideration of setbacks, height and site coverage to form subsequent DA stages when specific design detail is proposed. Regardless the proposal envisions appropriate setbacks and separation between dwellings, a maximum building height of 8m and minimal site coverage over the expansive 1500ha site.
4 Building Design	
C1-C2 Passive Design C1-C5 Solar access and natural ventilation C1-C3 Building Form C1-C6 Visual and acoustic privacy C1-C4 Roofs, dormers, attics and skylights	To comply as required, the proposal seeks concept approval for multiple land sharing communities which will define the overarching strategy, parameters and controls for roll out of dwellings. The concept defines developable areas with detailed dwelling design to be addressed at subsequent DA stages. Nevertheless, the vision for dwellings are back to basics, small scale, low intensity and low rise dwellings established within the natural

Section A1 – Residential and Tourist Accommodation Code - CONCEPT	
Control	**Compliance**
C1-C9 Rooftop terraces C1-C19 Garages, driveways and car parking	environment. Dwellings are expected to employ elements of: • slope sensitive design; • natural materials; • utilise natural lighting and breezes for reduced energy consumption; • rainwater tanks; • northern orientation (as applicable); and • sufficient parking, storage and facilities. It is expected that the formulation of design guidelines will emerge through community, council and potential resident consultation. As dwelling plots are then released it will be through CDC and DA processes that dwellings will emerge, consistent with the community guidelines.
5 Operational Requirements	
C1. Any application for development that involves the demolition of existing structures is to provide a Demolition Work Plan in accordance with the provisions of AS2601 and Councils work plan requirements.	To comply as required, although the proposal remains a concept at this stage any demolition of existing structures will be considered and handled accordingly at subsequent stages.
C2. Excavation that will result in waste material having to be transported off-site must be minimised through the use of site responsive building design. Where practical, excavated material should be reused on-site.	To comply as required, the proposal envisions re-use of all excavated materials where practical.
6.1 Ancilary Development	
C1-C16 Fences and walls C1-C7 Outbuildings C1-C6 Swimming pools and spas C1-C6 Tennis courts	To comply as required, the concept defines developable areas with detailed dwelling design to be addressed at subsequent DA stages. As such, no ancillary development detail is known at present. Nevertheless, the vision for dwellings and community areas is to provide a wide range of ancillary structures and facilities including: • Dwelling plot fences; • Walkways; • Community areas which may include recreational spaces, playgrounds, tennis courts, pools, halls, etc • Community gardens and outbuildings • Lookout platforms (such as the existing structures on the site); • Residential sheds, garages, It is expected that the formulation of design guidelines will emerge through community,

Section A1 – Residential and Tourist Accommodation Code - CONCEPT	
Control	**Compliance**
	council and potential resident consultation. As dwelling plots are then released it will be through CDC and DA processes that dwellings will emerge, consistent with the community guidelines.

A2 – Site Access and Parking Code Assessment	
Control	**Compliance**
Public Transport, Pedestrian and Cyclist Access and Amenity	
C1. Detail, both on plan and within the Statement of Environmental Effects, the access and parking treatments pursued to optimise pedestrian, cyclist, public transport and disabled person's access to and within the site.	Complies, the site provides a high level overview of the access and egress including indicative cut/fill and detailed longitudinal sections. Parking will be provided to each dwelling and additional parking, pedestrian and cycling detail will form future considerations as applicable. It is unlikely that a formal pedestrian or cyclist network would be envisioned as the site is undulating and spread-out. More locale specific pedestrian paths, walking trails and facilities may be considered at later stages.
C2. Internal footpaths are to be provided for pedestrians and cyclists to move from adjacent streets onto the site and to destinations within the site.	Not Applicable, the site is in a rural landscape setting and is not effectively serviced by an external pedestrian or cycling network. As such, connection to the site and destinations within the site are impractical. It would be envisioned that residents can use the driveway network if required, and linkages within smaller locales may be considered as specific detail emerges.
C3. Internal footpaths are to be clearly identifiable and provide either a direct or efficient corridor to the development. DCP A2 – SITE ACCESS AND PARKING CODE Page 5	Not applicable, as detailed for C2.
C4. Access and parking design treatments shall ensure the safety and comfort of footpath users (see notes for further guidance)	To comply, as required.
C5. Weather protection for pedestrian movement corridors is to be integrated with the building design.	Not Applicable. No formal pedestrian movement corridors are envisioned.
C6. Bicycle parking spaces and public transport bus stop seating is to be provided at the minimum rate specified in Table 2.	Not Applicable, bicycle parking and public transport not provided.
C7. A landscaping plan is to be submitted with any Development Application detailing the location, species choice of vegetation and any other landscaping feature. Landscaping must not affect sight distances at any intersection, accessibility to any vehicular or	Not Applicable, the concept does not propose specific landscaping detail due to the size and scale of the sites. However, ecological investigations and reports (which include a vegetation management plan) detail the environmental values of the site to be retained, rehabilitated, replanted and protected.

A2 – Site Access and Parking Code Assessment	
Control	**Compliance**
pedestrian traffic area or visibility of road signage.	
C8. A storm water management plan is to be submitted with any Development Application detailing the incorporation of water sensitive urban design, and the utilisation of landscaped features to disperse, filter and infiltrate carpark runoff. Storm water management plans are to be prepared in accordance with Development Design Specification D7 - Storm water Quality	Complies, a preliminary Stormwater Management Master Plan has been submitted for consideration.
C9. Any development requiring 5 or more employee bicycle parking spaces (class 1 or 2) must provide appropriate consideration and provision of change rooms, showers and clothing lockers(see notes for further guidance).	Not Applicable, no employee related uses proposed.
C10. Non-residential development with a collective site gross floor area (GFA) greater than 1,000m2, and/or a walking distance greater than 50 meters from a car space to the public entrance Provide weather protection for pedestrian movement corridors.	Not Applicable, residential development (rural land sharing communities) only.
Large Developments (greater than 5,000m2 GFA) C11. Proposals for large developments shall include a public transport impact statement. This statement shall contain: • Locality plan showing development site in relation to nearest practical public transport route and bus stops; • Proposed means and standard of pedestrian access from nearest bus stop to development site; • Where development site is more than 50m from the nearest bus stop, evidence of negotiations with public transport operator to obtain bus route and stop adjacent to or closer to development; • Proposed bus stop seating arrangements;	Not Applicable, the proposal does not incorporate specific dwelling locations or detail and remains an internal development without the need for public transport.

A2 – Site Access and Parking Code Assessment	
Control	**Compliance**
• Proposed arrangements for provision of bus stop within the development site (where applicable).	
C12. Provide a constructed footpath/cycle way network or additions to the existing footpath network radiating from the extents of the development site so that at least 50% of dwellings within the following radial distance of the development site have direct pedestrian/cycle path connection to the development.	Not Applicable, the site is located within a rural landscape setting that is generally not serviced by pedestrian/cycling networks.
Vehicle Access and Parking	
C1. Onsite parking is to be provided at the numerical rates detailed in Table 2.	To comply, each dwelling will include the provision of parking spaces as appropriate. The sites also offer ample ability to cater for additional informal parking on an as needed basis.
C2. Any development involving a land use other than a dwelling, secondary dwelling or dual occupancy must provide vehicular access to and from the site in a forward moving direction	Complies, all vehicles retain the ability to enter and exit the site in a forward moving direction.
C3. If a dual occupancy is in a 'stacked' arrangement the rear dwelling shall provide turnaround facilities to allow vehicular access to and from the site in a forward moving direction.	Not Applicable. The proposal is not for a dual occupancy in a 'stacked' arrangement.
C4. Provide suitable separation and design treatments between large vehicle manoeuvring areas, loading and unloading areas and adjoining residential areas to mitigate impacts within and surrounding the site.	To comply, as required.
C5. Vehicle access is expected to be derived from the frontages which have the lowest pedestrian and cycle volumes. This includes porte cocheres (covered vehicle set downs), where permissible.	Complies, the access points to the site are from Kyogle Road and Mandalay Road as the only road access points available.
C6. Driveway access in any CBD strip shopping area will not be supported without	Not Applicable, the sites are not located within a CBD strip.

A2 – Site Access and Parking Code Assessment	
Control	**Compliance**
substantial justification as this breaks the active street frontage.	
C7. Porte cocheres will not be supported in any CBD strip shopping area.	Not Applicable, the sites are not located within a CBD strip.
C8. Generally, no new off street parking bays or aisles will be allowed at street level within 6m of the principal property frontage anywhere within the CBD sectors outlined in areas 1,2 and 3 of Table 2	Not Applicable, the site is not identified in areas 1, 2 or 3.
C9. Tandem or stacked parking is not generally favoured. However, a limited number of stacked employee and/or resident spaces may be considered where suitably justified, addressing the following: • A demonstrated need for tandem or stacked parking; • Demonstration of no inconvenience to employees/residents; • Demonstrated assessment that the provision of tandem or stacked parking will not adversely affect the functioning of parking and access to the site; • No more than two (2) cars are parked in a stacked arrangement, so that no more than one (1) vehicle has to move to allow egress of another; • Tandem or stacked parking is only to be used for people employed or residing on the premises where vehicles are likely to parked all day or a major part of the day; • Paired tandem or stacked spaces must be used by the occupants of the same tenancy; • Sufficient space shall be provided on site for shifting vehicles without requiring their movement onto public streets; • Tandem or stacked parking will not be permitted for customer/public parking or multi dwelling housing; • The minimum length of tandem or stacked parking is 10.4m. • Mechanical car lifts may be acceptable in residential developments provided all spaces have capacity to store the B99 vehicle (Appendix A AS2890.1) with headroom	Not Applicable, no tandem parking is proposed.

A2 – Site Access and Parking Code Assessment	
Control	**Compliance**
in accordance with section 5.3 of AS2890.1 (minimum 2.2m).	
C10. Small car spaces will not count towards the required number of vehicle spaces prescribed by Table 2	Complies, small parking spaces have not been included in parking calculations.
C11. Visitor parking shall be incorporated within reasonable and convenient proximity of the visitor's final destination with no barriers to pedestrian movement located in between (e.g. public roads).	To comply, each dwelling will include the provision of parking spaces as appropriate. The sites also offer ample ability to cater for additional informal parking on an as needed basis.
C12. Provide aisles for parcel-pickup facilities or areas for the manoeuvring or docking of commercial vehicles or garbage trucks separate from areas of normal pedestrian/vehicular traffic.	Not applicable, the site does not contain public roads.
Large Developments (greater than 5,000m2 GFA) C13. Provide a dedicated rank for a minimum of 2 taxis, supported by a minimum 2m wide paved and roofed pedestrian access to the building entrance	Not applicable, the site does not contain public roads.
Local Area Specific Customer Car Parking C14. The requirements for customer car parking in the Commercial Premises (Table 2C) and Health Services Facilities groups (Table 2G) may be reduced in accordance with the rates specified in Table 1. These concessions will only be applied if: • A locality specific rate is not provided in section B of the DCP • There is adequate parking on the site and in public car parks to prevent a nuisance to adjacent properties; and • There is adequate parking on the site and in public car parks to ensure customers do not use off street parking provided by neighbouring properties; • The aims and principles of this Section have been achieved.	Not applicable.

A5 Subdivision Manual Detailed Assessment

Individual titling of dwelling / plot or land ownership is not considered for the site, nor is it permissible through the relevant environmental and planning framework.

To facilitate the intended layout and yield for the 10x RLSCs however, existing lots and their boundaries will be required to be altered. While this realignment of boundaries will be subject to a future DA, the Concept Plan does indicate the preferred subdivision layout for the site, please refer to **Appendix A2**.

This intended subdivision layout does not fragment the site for the purpose of additional dwellings. Rather, the subdivision amalgamates the current 21x lots into 10x lots and facilitates 10x RLSCs and 1x Village lot.

Each proposed lot contains a developable area of a suitable size to cater for the RLSC dwelling plots available under State Environmental Planning Policy (Primary Production and Rural Development) 2019.

Lot configurations have been based on the attributes of the land and some boundaries align with Council's preferred dam boundary. This ensures that, if and when this land is resumed, this area can be separated with minimal need for boundary adjustment. The balance area of these lots (post dam resumption) achieves the LEP minimum lot sizes for the zone (being 40ha).

20m wide right of ways easements have been shown and labelled accordingly, ensuring road access is maintained for all lots. Easements benefit less than 5x lots as specified in Council's Subdivision Manual. The maximum number of lots benefitted would be by Easement A in proposed Lot 1 which benefits 4x lots (lots 2, 5, 6, and 11) and Easement C in proposed Lot 3 which benefits 4x lots (lots 7, 8, 9, and 10). The Applicant notes that community management will permit access across and between all lots for the use of all residents and visitors.

Lot titles will incorporate 88B instruments to ensure lots are collectively managed and development remains linked to the concept. This instrument will be delineated through the subsequent subdivision stage. Individual land ownership is not considered for the site, nor is it permissible through the relevant environmental and planning framework.

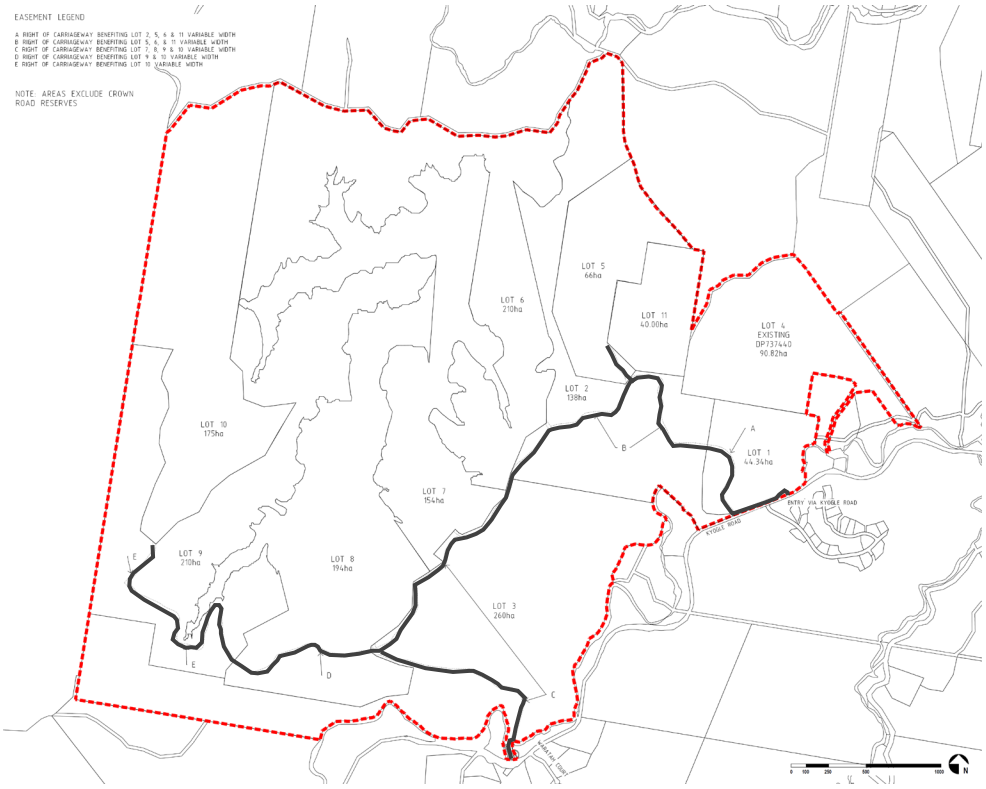
Concept Subdivision Particulars

The existing and proposed lot detail is illustrated within **Table 5** below. The subdivision plan is provided within **Appendix A**, which details the lot boundaries, areas and 20m right of way easements.

Table 1 – Concept Subdivision Particulars

Existing Lots				Proposed Lots			
Lot / DP	Area (ha)	SEPP Calc	Dwellings	Lot / DP	Area (ha)	SEPP Calc	Dwellings
121 / DP134446	158.17	41.043	41	Lot 1	44.34	N/A Village	-
3 / DP755714	37.939	10.985	10	Lot 2	200.1	42.5	42
5 / DP582299	134.1	35.025	35	Lot 3	260	62.3	62
4 / DP737440	90.82	24.205	24	Lot 4 (Existing)	90.82	24.205	24
1 / DP390311	162.27	42.068	42	Lot 5	42.2	12.05	12
35 / DP755714	30.7561	9.1890	9	Lot 6	210	54	54
20 / DP755714	177.25	45.813	45	Lot 7	154	40	40
33 / DP755714	9.9047	N/A	0	Lot 8	194	50	50
2 / DP611556	122.4	32.1	32	Lot 9	210	54	54
34 / DP755714	47.04	13.26	13	Lot 10	175	45.25	45
1 / DP611556	5.075	N/A	0	Lot 11	40	11.5	9
2 / DP582300	71.71	19.428	19				
31 / DP755714	89.031	23.758	23				

32 / DP755714	125.453	32.863	32				
22 / DP755714	46.5388	13.135	13				
19 / DP755714	48.5623	13.641	13				
8 / DP755714	16.187	5.547	5				
11 / DP1194471	126.6	33.15	33				
2 / DP1148316	81.51	21.878	21				
1 / DP1183098	3.023	N/A	0				
2 / DP1235488	0.04	N/A	0				
Total Lots	21	Area	1584ha	Total Lots	10	Area	1584ha
Dwellings achievable (excl. Village lot)			410	Dwellings achievable (excl. Village lot)			392


EASEMENT LEGEND
A RIGHT OF CARRIAGEWAY BENEFITING LOT 2, 5, 6 & 11 VARIABLE WIDTH
B RIGHT OF CARRIAGEWAY BENEFITING LOT 5, 6, & 11 VARIABLE WIDTH
C RIGHT OF CARRIAGEWAY BENEFITING LOT 7, 8, 9 & 10 VARIABLE WIDTH
D RIGHT OF CARRIAGEWAY BENEFITING LOT 9 & 10 VARIABLE WIDTH
E RIGHT OF CARRIAGEWAY BENEFITING LOT 10 VARIABLE WIDTH
NOTE: AREAS EXCLUDE CROWN ROAD RESERVES
LOT 5 66ha
LOT 6 210ha
LOT 11 40.00ha
LOT 4 EXISTING DP737440 90.82ha
LOT 2 138ha
LOT 10 175ha
LOT 1 44.34ha
LOT 7 154ha
ENTRY VIA KYOGLE ROAD
LOT 9 210ha
LOT 8 194ha
LOT 3 260ha

In absence of any specific controls within Council's DCP in relation to Rural Land Sharing, this detailed report addresses both the typical Residential and Rural subdivision guidelines to demonstrate the suitability of the site for increased dwelling yield of 392x dwellings. Residential subdivision considerations address the ability of the site to provide a suitable residential amenity and access to services within the region such as open space and community facilities. The rural subdivision considerations demonstrate the site constraints and how these have been considered and addressed to ensure the concept maintains the rural character.

5.5 RURAL SUBDIVISION GUIDELINES & DEVELOPMENT STANDARDS	
A5.5.2 Physical constraints	The physical constraints of the land have been extensively investigated and mapped and reported on. These have included considerations of: • Bushfire; • Flood; • Ecological significance;

	• Topography and geotechnical investigations • Servicing strategy Please refer to discussion against A5.4.3, A5.4.4 & A5.4.5 above. In the Criteria of A5.5.2 it is noted that rural lots may include constrained land, due to the larger areas of rural lots, where these also contain sufficient unconstrained land (and buffers) to enable proposed land uses to be carried out there without significant adverse impacts. Nightcap RLSCs has extensively mapped and plotted the higher level constrained areas and avoids, mitigates and buffers constrained lands.
A5.5.3 Rural Watercourses and Drainage	The rural subdivision seeks a development outcome for rural land share communities with roads generally following existing informal tracks along ridgelines and away from watercourses and drainage areas. Detailed stages of development will have regard to the site-wide Stormwater Management Master Plan and will further investigate and depict specific dwelling locations and design to preserve natural drainage systems. The concept plan and stormwater management masterplan encompasses the road network provision and engineering of the detailed design will include culverts, headwalls and transverse drains engineered to ensure unimpeded flows and retain natural flow rates. The minor scale of the road network and dwelling footprints in comparison to the expansive site area means the stormwater runoff can easily assimilated by overland flow and natural watercourses which traverse the site as lawful points of discharge.
A5.5.4 Rural Subdivision Structure	The proposal facilitates development that is made permissible by a State Environmental Planning Policy and fills an identified economic, ecological and housing need for the highly sought after area. The proposal also provides economic support to establish the zoned village area, being a coordinated and sustainable approach to the provision of public services and facilities for the region. The site does not have any identified land of prime agricultural significance and therefore does not fragment or reduce the viability of prime agricultural land. The ownership structure of RLSCs allows multiple occupancy without the need to fragment sites. In summary, the relevant objectives of A5.5.4 have been addressed by the provision of several management strategies which include: • Draft Neighbourhood Management Statement, • Economic needs analysis and SEIA, • Vegetation management plan, • Bushfire management strategy, • Aboriginal cultural heritage assessment, • Preliminary geotechnical report, • Traffic impact assessment • Engineering servicing strategy

	These concept supporting reports are living documents providing the ability to continue detailed investigations and respond to community and Council feedback. This will ensure the subdivision of land continues to protect natural and cultural features, accounts for natural hazards and risk while providing essential services for the intended rural land sharing outcome sought.
A5.5.5 Rural Subdivision and Lot Layout **General Layout** The subdivision design should: • protect and encourage appropriate management of natural habitat and vegetation; • provide for reafforestation and tree planting; • protection of watercourses, water quality and riparian vegetation; • promote the continuation of agricultural uses in adjoining land; • encourage agricultural use of high class agricultural land; • promote the control of weeds, domestic and feral animals; • provide buffer areas between potentially conflicting land uses; • provide for bushfire protection; • minimise soil erosion; • avoid development on land with environmental constraints; • retain significant vegetation and habitat areas; • provide for protection of koalas and koala habitat; • be integrated with the surrounding rural environment and complement existing scenic rural landscapes; • provide well distributed rural open spaces that contribute to the character of the development, provide for a range of uses, are cost effective to maintain, and contribute to stormwater management and environmental care; • provide an access road network with a high level of accessibility and good external connections for local vehicle, pedestrian and cycle movements, with traffic management to restrain inappropriate vehicle speed, deter through traffic and create safe conditions for all road users; • reinforce local identity by retaining items, trees/vegetation,	The concept plan consolidates master lots to provide dwelling and community facilities within appropriately identified and unconstrained 'developable areas' while protecting ecologically significant areas elsewhere on the site to promote regeneration initiatives and protection of the sites as a whole. This is in direct consideration of the natural and physical constraints of the sites and sets out the foundations for ongoing management strategies, positive covenants, and framework for future DAs that will ensure the coordinated protection and enhancement of the sites across all relevant matters. The applicant maintains that the layout and management of the sites represents a typical Rural subdivision and achieves the objectives by specifically: • Plotting and securing the management of ecologically significant areas through rehabilitation, reafforestation, weed management, fauna protection and planting in a recognized Biodiversity Stewardship Agreement approach; • Adequately locating developable areas with buffers and separation to watercourses and constrained land; • Providing bushfire attenuation and refuge for individual dwellings and the site as a collective; • Managing soil erosion through detailed engineering/design stages prior to preparing and releasing individual dwelling plots and providing overarching guidelines which designate specific slope sensitive design approaches to individual dwelling development; • Restricting development through covenants over environmentally constrained land; • Providing opportunity for recreational space within developable areas and linkages to recreational and ecological areas over the majority of the site (i.e bushwalking, bicycle trails, etc. • Providing high quality 6m wide road network over the site and right of way for all allotments and residents; and • Protecting cultural significant items, outlooks and vegetation.

and places of cultural significance	
A5.5.5 Rural Subdivision and Lot Layout Rural Lots Lots for residential purposes in rural areas must have an identified building platform that: • has access to a public road that is readily upgraded to all weather two wheel drive standard; o is free from environmental constraints; • is safe from bushfire; • is above Q100 flood level and has high level road and/or pedestrian access to land above probable maximum flood level; • has adequate solar access; • will not impact on rural activities on nearby land; • has appropriate area and dimensions for the siting and construction of a dwelling and any ancillary outbuildings.	The concept indicatively provides dwelling plot locations, however, primarily denotes developable areas in which dwellings will seek to establish. These developable areas achieve the objectives identified for rural lots by: • Providing quality access to Kyogle Road through three (3) access points; • Providing minimum BAL29 achievable dwelling plots and additional places for refuge, evacuation and marshalling to protect from bushfire; • Developable areas and indicative plots are positing on elevated land and remain flood free; • Developable areas provide north, east and western aspects, positioning along ridgelines to ensure adequate solar access; • Developable areas are buffered by expansive vegetation and rolling topography to nearby rural lands and maintain a separation in excess of 100m to side boundaries; • Development design guidelines ensure dwelling plots within the site will provide appropriate separation between dwellings and • Dwelling plots are generally 4,500m^2 – 10,000m^2 providing ample area for dwellings, servicing (such as effluent application areas) and ancillary outbuildings.
A5.5.5 Rural Subdivision and Lot Layout Lot Boundaries Lot boundaries should be located taking into account: • slope of the land; • natural boundaries; • existing fencing and paddock structure; • protection of natural or cultural features; • site environmental constraints; • retention of special features such as trees and scenic topographical features.	Lot boundaries have specifically considered the topography and constraints of the site providing protection of natural features and facilitating the RLSC outcome for the site. Boundaries between RLSC dwellings will be formalised within the DAs Neighbourhood Management Statement and preparation of Neighbourhood Management Plans. These will incorporate the overarching framework studies to ensure protection of ecological and cultural features and will incorporate natural boundaries, fencing and slope as applicable.

A5.5.6 Rural Movement Network	20m wide right of ways easements have been shown and labelled accordingly, ensuring road access is maintained for all lots and allowing vegetation thinning and clearing to maintain appropriate bushfire evacuation and protection. Easements benefit less than 5x lots as specified in Council's Subdivision Manual. The maximum number of lots benefitted would be by Easement D in proposed Lot 3 which benefits 4x lots (lots 6, 7, 8, and 9). The Applicant notes that community management will permit access across and between all lots for the use of all residents and visitors. As such, and given the number of dwellings, the internal private road network reflects a rural public road in design and provision. The engineering design has considered a 6m wide and 2-way internal road throughout the site. This is graded and sealed as required to ensure RFS vehicle access and resident access throughout. In detailed DA design phase small sections may be narrowed to maintain natural/cultural features where identified.
Water Supply and Waste Disposal and **Rural Subdivision Infrastructure**	The concept proposal incorporates a water, waste-water and comprehensive servicing strategy which remains off grid and self-sufficient. These include provision of suitable rainwater tanks, communal tanks and options for firefighting water supply, solar power, onsite/communal sewerage management options and solid waste strategy. Several strategies are discussed and detailed within the SEE and servicing strategy reports prepared by Planit and Precise Environmental. These remain concept and recommendation/option based, to be further investigated and developed with the proposal as it progresses. The site has opportunity to provide on grid telecommunications and will incorporate this network within the road work to dwelling plots and key community facilities.

A5 Subdivision Manual Subdivision Statement

SUBDIVISION STATEMENT – Proposed rural subdivision 21x lots into 11x Lots to facilitate RLSCs	
Item 1. Description of Development	
1.1	**Existing site details** • plan of site showing existing real property lots and boundaries; • above plan site showing existing contours and topography; • above plan showing existing trees and vegetation; • buildings/structures; • aerial photographs (if available);
Comments See **Appendix A** Plan set and discussions within the Statement of Environmental Effects (SEE).	
1.2	**Plans of adjacent and nearby areas that are likely to be affected by the proposal showing** • current land use • existing topography/contours
Comments See discussions within the SEE.	
1.3	**Development proposed** • plan of proposed street, lot and open space layout o as above with proposed contours and trees/vegetation to be retained • general details and location of proposed subdivision works on a background of proposed street and lot layout • where a subdivision is to be developed in stages or where "management" lots are to be created, a master plan (showing stages and/or management lots) of the above plans (in 1.3) must accompany the initial application and each progressive stage application
Comments The proposal comprises a concept plan which includes a 21 into 10 lot rural subdivision for the purpose of establishing multiple rural land sharing communities (9x lots) and including consolidating RU5 Village land to a single allotment (1x lot). The details of the concept proposal are discussed in detail within the SEE.	

1.4	**Design and Compliance Reports**
	• Master Plan;
	  o Master plans are required for subdivisions of 25 lots or more (all stages) where the urban pattern is not yet determined, or where required in accordance with SEPP 71. □
	  o Master Plans are to contain the information in Table A5-1 of Clause A5.3 and be supported by a written report that addresses the relevant objectives and criteria in Clause A5.4
	• Design Report to include
	  o a site analysis
	  o how the design guidelines and development standards of Section A5 have been applied to the proposed subdivision
	  o a summary of the proposed subdivision design and its underlying urban design principals

Comments The proposal incorporates a concept plan within the Plan Set in **Appendix A** of the SEE. Please refer to the discussion in Section 1 & 5 of the SEE for compliance with relevant DCP sections.	

	• Compliance Report
	  o a detailed report is to be submitted addressing all relevant objectives and criteria in Clause A5.4. Full justification is required if there are any significant departures (from the objectives and criteria) proposed.
	  o address matters identified in *section 79C of the act* that are not dealt with elsewhere ie:-

	▪ provisions of environmental planning instruments (or drafts that have been placed on exhibition). These include State Environmental Planning Policies (SEPP), Regional Environmental Plans (REP), Local Environmental Plans (LEP) ▪ provisions of Development Control Plans (DCP)
Comments See **Appendix M** – A5 Subdivision Manual Detailed Report for assessment of the subdivision against relevant requirements of both A5.4 and A5.5. - See relevant sections of the SEE in terms of compliance with relevant SEPPs LEP's and DCP's.	
Item 2. Preliminary Engineering Drawings and Attachments	
	Preliminary Engineering Drawings and Attachments of proposed subdivision infrastructure are to be submitted in accordance with *Development Design Specification D13 - Engineering Plans (Subdivisions)*. The full details of drawings and reports required are detailed in *D13*, however in summary they cover the following areas:- Site plan showing existing and proposed levels (may need to extend to affected adjacent land); drainage catchments (internal and external); roads (including traffic study for subdivisions over 15 lots); drainage system; water supply system; sewerage system; earthworks; electricity; telecommunications; gas; indicative landscaping and embellishment of open space; preliminary erosion and sediment control plan; preliminary stormwater management plan; Master plan (for staged and management lot subdivisions).
Comments In its concept form, the proposal provides detailed works for Stage 1 road and earthworks to establish improved access to Kyogle Road. This is illustrated within the Concept Plan Stage 1 Works plans in **Appendix A** of the SEE. The proposal also provides concept detail across other civil engineering and servicing areas in **Appendices G** to **K**.	
Item 3. Statement of Environmental Effects (Required for All Subdivisions that are Not Designated Development)	
	Note: For Designated development, an Environmental Impact Statement must be prepared in accordance with *section 78A(8) of the Act* and *clauses 71, 72 and 73 of the Regulations*; and the EIS is to be submitted in lieu of the Statement of Environmental Effects as detailed below: The *statement of environmental effects* for a subdivision is to include the following elements:
3.1	**Description of Proposed Development** Refers to information already provided in Item 1.
Comments See response to Item 1 and SEE accompanying the proposal	
3.2	**Description of the existing environment**
	• Natural environment o Plans showing slopes, levels, topography, drainage system, vegetation, natural features such as watercourses, views, visual character, • Cultural environment o Location plans and descriptions of historical features, special places, assessed character of the area, archaeology and heritage items. • Land use environment o Description (supplemented by plans if required for clarification) of current site land use, adjoining and nearby land uses • Infrastructure environment o Description (supplemented by plans if required for clarification)of existing infrastructure available to service the subdivision (roads, water supply, sewerage, drainage, other utilities
Comments See relevant sections within the SEE. Also refer to the supporting documentation in **Appendices B** to **P** for additional detail on the existing site conditions and proposal.	

3(c)	**Assessment of Environmental Constraints**
	• Contaminated land o A preliminary investigation report, determining if the site is contaminated o Report on how issues raised in above report are to be addressed.
	• Flood liable land o Assessment of flood status of land o If area is flood liable, a report addressing relevant matters in section Clause A5.4
Comments Preliminary contaminated land assessment has been undertaken (**Appendix G**) with no areas of significant concern identified to constrain the development to progress through concept stage. The site is not identified within Council flood mapped areas and heights vary typically from 80m to 220m RL AHD. Flood risk is unlikely to occur with developable areas generally positioned along ridges.	
	• Land with risk of landslip or subsidence o Assessment determining if the site is at risk from subsidence or landslip either on the site or from land off the site, and either from an existing risk or a risk that will result from the proposed subdivision works o If the site has a risk from landslip and/or subsidence, then a report addressing the relevant matters in Clause A5.4
Comments No identified risk of landslip. Preliminary geotechnical investigations been undertaken (**Appendix F**) with no areas of significant concern identified to constrain the development to progress through concept stage. Please refer to the	
	• Bushfire risk o Assessment of bushfire risk of proposed subdivision o If site has a risk, report on how the subdivision design addresses these threats in Clause A5.4.
Comments A bushfire design response and management plan is provided in **Appendix D** with ongoing consultation to occur through subsequent DA stages as design particulars emerge.	
	• Threatened Species, population or ecological communities or their habitats o Assessment in accordance with *section 5A of the EP&A Act* to decide if there is to be a significant effect on threatened species, population or ecological communities o Where there is a significant effect "a species impact statement", see Clause A5.4
Comments Ecological investigations and BDAR are provided in **Appendix E**.	
	• Coastal and foreshore lands o Identify requirements of the *NSW Coastal Policy and Design Guidelines* and demonstrate compliance o Identify any requirements for dune or foreshore management plans
Comments The site is not located within coastal or foreshore land.	
	• Significant vegetation o Determine if there are areas of significant vegetation and map them on a site plan. See Clause A5.4 o If there are areas of significant vegetation on the site, a report in accordance with Chapter 4 demonstrating that o the development proposal does not detract from the ecological, scenic landscape or local identity values of the significant vegetation o where possible significant vegetation has been incorporated into the open space/drainage network or within road reserves o the street/lot layout has been designed to enable significant individual trees or small stands of vegetation to be retained on larger lots outside the building platforms.
Comments Ecological investigations and BDAR are provided in **Appendix E**.	

	• Landscape o For subdivisions of 50 lots or more, a "Scenic Impact Assessment Report". See Clause A5.4
	• Waterways, water bodies, riparian areas and riparian vegetation o A report demonstrating compliance with the relevant sections of Clause A5.4
	• Acid Sulphate Soils o If proposed works may result in disturbance of class 1, 2, 3, 4 or 5 soils on Council's "Acid Sulphate Soil Planning Map" an "Acid Sulphate Soils Management Plan".
	• Heritage or cultural items of Aboriginal or European origin o A site plan showing the location, settings and characteristics of any identified items o If there are items identified, a report on how the subdivision design accounts for these items and how these items are to be preserved, given the future proposed land uses
Comments A Visual Impact Assessment (**Appendix L**) and Aboriginal Cultural Heritage Assessment (**Appendix C**) accompany the proposal.	
3.4	**Landforming assessment** see Clause A5.4
	If the subdivision contains significant land reforming, defined as >10% of the gross site area or if >1.0ha is to have surface levels changed by more than 5m or total earthworks exceed an average of 10,000 m3 per ha, then a landforming impact assessment report is required (see *Development Design Specification D6* for additional details) containing:- • identification of the impact of the proposed landforming on the environment, landscape visual character and amenity, natural watercourses, riparian vegetation, topographical features the environment (including landscape visual character) and public infrastructure • assessment of the impacts and benefits of the proposal to all impacted persons and the general public. • proposed measures to compensate for and minimise any net adverse impacts
Comments The proposal does not contain significant land reforming.	
3.5	**Socio Economic Impact assessment**
	An assessment is required in accordance with the provisions of Section A13 - - Socio-Economic Impact Assessment. For larger subdivisions of >50 lots/dwellings in all stages (unless exempted by clause A13.5.2 of Section A13), Section A13 requires a Socio-economic Impact Statement containing • Summary • Statement of Objectives of the subdivision • Analysis of Alternatives to carrying out the subdivision, including not carrying out the subdivision • Identify likely impacts of the development • Evaluate Socio-Economic impacts by: o Scoping - identify issues and affected groups o Profiling - data collection, historic trends, assessing current social and economic context o Predicting - identify possible future impacts o Assessing - analyse the impacts o Consult with the community and other local agencies to determine acceptable limits of • Justification of Development o Justify carrying out the development with respect to economic and social considerations and to achievement of Ecologically Sustainable Development and social capital
Comments A SEIA is provided within the Economic Need Assessment in **Appendix B.**	

3.6	**Infrastructure Capability Assessment**
	Summary of infrastructure capability issues identified in Item 2.
Comments **Appendices G** to **K** detail the concept strategy in terms of infrastructure capability and servicing.	
3.7	**Impacts of the proposed subdivision**
	From assessments in 3(a) to 3(d) and 3(f) • identify any adverse impacts • Identify how the development impacts on the existing and likely future amenity of the locality • Describe the measures that have been taken to mitigate any identified adverse impacts. Where applicable, this may be done by reference to measures already identified in assessments in 3(a) to 3(d) and 3(f)
Comments See relevant sections of the SEE and associated Appendices.	